

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In re:	:	Chapter 11 Case No.
	:	10-40395
Probe Resources US Ltd.	:	
24 Waterway, Suite 1450	:	
The Woodlands, TX 77380	:	
Tax ID #: 26-xxx0456	:	
	:	
Debtor	:	

In re:	:	Chapter 11 Case No.
	:	10-40396
Probe ST 214 Ltd.	:	
24 Waterway, Suite 1450	:	
The Woodlands, TX 77380	:	
Tax ID #: 26-xxx5252	:	
	:	
Debtor	:	

In re:	:	Chapter 11 Case No.
	:	10-40397
Probe High Island 115 Ltd.	:	
24 Waterway, Suite 1450	:	
The Woodlands, TX 77380	:	
Tax ID #: 26-xxx1789	:	
	:	
Debtor	:	

In re:	:	Chapter 11 Case No.
	:	10-40398
Probe Resources Energy Marketing US Ltd.	:	
24 Waterway, Suite 1450	:	
The Woodlands, TX 77380	:	
Tax ID #:	:	
	:	
Debtor	:	

ORDER GRANTING CHAPTER 11 COMPLEX CASE TREATMENT

The captioned debtors and debtors-in-possession (collectively, the “Debtors”) filed these bankruptcy cases on November 16, 2010. A *Notice of Designation as Complex Chapter 11 Case* was filed. After review of the initial pleadings filed in these cases, the Court concludes that these cases appear to be complex chapter 11 cases. Accordingly, unless the Court orders otherwise,

IT IS ORDERED:

1. The Debtors shall maintain a consolidated master service list (the “Master Service List”) identifying the parties that must be served whenever a motion or other pleading requires notice. Unless otherwise required by the Bankruptcy Code or Rules, notices of motions and other matters will be limited to the parties on the Master Service List.

- a. The Master Service List shall initially include (a) the Office of the United States Trustee for the Southern District of Texas; (b) the Debtors; (c) the attorneys for the Debtors; (d)) K-2 Principal Fund; (e) K2 Principal Fund, L.P.; (f) the Debtors’ 30 largest unsecured creditors (on a consolidated basis); (g) those persons who have formally appeared in these chapter 11 cases and requested service pursuant to Bankruptcy Rule 2002; and (h) all applicable government agencies to the extent required by the Bankruptcy Rules and the Local Rules. Any party in interest that wishes to receive notice, other than as listed on the Master Service List, shall be added to the Master Service List by filing with the Court, and serving the Debtor and Debtors' counsel with a notice of appearance and request for service.
- b. Parties on the Master Service List, who have not otherwise consented to service by e-mail, through the act of becoming a registered e-filer in this District, are encouraged to provide an e-mail address for service of process and to authorize service by e-mail; consent to e-mail service may be included in the party's notice of appearance and request for service; in the event a party has not consented to email service, copy of pleadings and documents shall be served by fax or by regular mail.
- c. The initial Master Service List shall be filed within 3 days after entry of this order. A revised Master Service List shall be filed 7 days after the initial Master Service List is filed. The Debtors shall update the Master Service List, and shall file a copy of the updated Master Service List, (i)

at least every 7 days during the first 30 days of the cases; (ii) at least every 15 days during the next 60 days of the cases; and (iii) at least every 30 days thereafter throughout the cases.

2. The Court sets _____ of each month at _____ am/pm as the pre-set hearing day and time for hearing all motions and other matters in these cases. The Court sets the following dates and times for the next two months as the pre-set hearing date and time for hearing all motions and other matters in these cases _____.

Settings for the following months will be published by the Court no later than 30 days prior to the first hearing date in the said following months. (There may be exceptions; those exceptions will be noted on the court's internet schedule, available at www.txsb.uscourts.gov.)

- a. All motions and other matters requiring hearing, but not requiring expedited or emergency hearing, shall be noticed for hearing, on the next hearing day that is at least 23 days after the notice is mailed. As a preface, just below the case caption, each pleading shall state:

A HEARING WILL BE CONDUCTED ON THIS MATTER ON _____ AT _____ AM/PM IN COURTROOM _____, UNITED STATES BANKRUPTCY COURT FOR THE SOUTHERN DISTRICT OF TEXAS, 515 RUSK AVENUE, HOUSTON, TX 77002. IF YOU OBJECT TO THE RELIEF REQUESTED, YOU MUST RESPOND IN WRITING, SPECIFICALLY ANSWERING EACH PARAGRAPH OF THIS PLEADING. UNLESS OTHERWISE DIRECTED BY THE COURT, YOU MUST FILE YOUR RESPONSE WITH THE CLERK OF THE BANKRUPTCY COURT WITHIN TWENTY-THREE DAYS FROM THE DATE YOU WERE SERVED WITH THIS PLEADING. YOU MUST SERVE A COPY OF YOUR RESPONSE ON THE PERSON WHO SENT YOU THE NOTICE; OTHERWISE, THE COURT MAY TREAT THE PLEADING AS UNOPPOSED AND GRANT THE RELIEF REQUESTED.

- b. All motions and other matters requiring expedited or emergency

hearing shall comply with the usual Court requirements for explanation and verification of the need for emergency or expedited hearing. Specifically, if a party in interest has a situation that it believes requires consideration on less than 23-days' notice, or an emergency that it believes requires consideration on less than 5 business days' notice, then the party should file and serve a separate, written motion for expedited hearing, with respect to the underlying motion. The court will make its best effort to rule on the motion for *expedited or emergency hearing* within 24 hours of the time it is presented. If the court grants the motion for expedited or emergency hearing, the underlying motion will be set by the courtroom deputy at the next available pre-set hearing day or at some other appropriate shortened date approved by the Court. The party requesting the hearing shall be responsible for providing proper notice in accordance with this order and the Bankruptcy Code and Rules.

3. Emergency and expedited hearings (and other hearings in limited circumstances) in these cases may be conducted by telephone or, where available, video. Parties must request permission to participate by telephone by calling the courtroom deputy, _____, at _____.

4. If a matter is properly noticed for hearing and the parties reach a settlement of the dispute prior to the final hearing, the parties may announce the settlement at the scheduled hearing. If the court determines that the notice of the dispute and the hearing is adequate notice of the effects of the settlement, (i.e., that the terms of the settlement are not materially different from what parties in interest could have expected if the dispute were fully litigated) the court may approve the settlement at the hearing without further notice of the terms of the settlement.

5. The Debtors shall give notice of this order to all parties in interest within 7 days. If any party in interest, at any time, objects to the provisions of this order, that party shall file a motion articulating the objection and the relief requested. After hearing the objection and any responses the court may reconsider any part of this order and may grant relief, if appropriate.

END OF ORDER